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PATENT

Attorney Docket No.: 13300/2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/753,904 Confirmation No. 8168
Applicant : Damian KUCHARCZYK
Filed : January 8, 2004
Title : HIGH FLUX X-RAY SOURCE
TC/A.U. : 2882
Examiner : Craig E. CHURCH

RESPONSE UNDER 37 C.F.R. § 1.111

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The remarks below are respectfully submitted in response to the Office Action dated June 28, 2005, for which the time for response has been extended by petition and fee to October 28, 2005.

In the Office Action, the Examiner rejected claims 1-5 and 7-10 under 35 U.S.C. § 103(a) as unpatentable over USP 6,882,739 (Kurtz) in view of USP 6,493,421 (Gutman). The Examiner also rejected claim 6 under 35 U.S.C. § 103(a) as unpatentable over Kurtz and Gutman, in view of USP 5,987,095 (Chapman). Applicant respectfully traverses these rejections and requests reconsideration and allowance of the claims in view of the following arguments.

One aspect of the present invention, recited in claim 1, is the combination of a sealed X-ray tube and a multi-layer optic to provide a compact high flux X-ray source, together with the appropriate positioning and facility for relative adjustment of the components. The compactness of the source is described at page 5, line 30 to page 6 line 3 of the specification.

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